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9 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2011-62

12 **CAMILLE E. DEPOY, RN**
13 **aka CAMILLE EILEEN GOMEZ**
14 **1310 Electric Avenue, Apt. B**
Seal Beach, CA 90740

A C C U S A T I O N

15 **Registered Nurse License No. 443864**

16 **Respondent.**

17
18 **Complainant alleges:**

19 **PARTIES .**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
22 of Consumer Affairs.

23 2. On or about August 31, 1989, the Board of Registered Nursing issued Registered
24 Nurse License Number 443864 to Camille E. Depoy, aka Camille Eileen Gomez (Respondent).
25 The Registered Nurse License was in full force and effect at all times relevant to the charges
26 brought herein and will expire on April 30, 2011, unless renewed.

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1 manner consistent with the public health, safety, or welfare. Such convictions or acts
2 shall include but not be limited to the following:

3 (a) Assaultive or abusive conduct including, but not limited to, those violations
4 listed in subdivision (d) of Penal Code Section 11160.

5 (b) Failure to comply with any mandatory reporting requirements.

6 (c) Theft, dishonesty, fraud, or deceit.

7 (d) Any conviction or act subject to an order of registration pursuant to Section
8 290 of the Penal Code.

9 12. California Code of Regulations, title 16, section 1445, states:

10 (a) When considering the denial of a license under Section 480 of the code, the
11 board, in evaluating the rehabilitation of the applicant and his/her present eligibility
12 for a license will consider the following criteria:

13 (1) The nature and severity of the act(s) or crime(s) under consideration as
14 grounds for denial.

15 (2) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under
16 consideration as grounds for denial which also could be considered as grounds for
17 denial under Section 480 of the code.

18 (3) The time that has elapsed since commission of the act(s) or crime(s)
19 referred to in subdivision (1) or (2).

20 (4) The extent to which the applicant has complied with any terms of parole,
21 probation, restitution, or any other sanctions lawfully imposed against the applicant.

22 (5) Evidence, if any, of rehabilitation submitted by the applicant.

23 (b) When considering the suspension or revocation of a license on the grounds
24 that a registered nurse has been convicted of a crime, the board, in evaluating the
25 rehabilitation of such person and his/her eligibility for a license will consider the
26 following criteria:

27 (1) Nature and severity of the act(s) or offense(s).

28 (2) Total criminal record.

(3) The time that has elapsed since commission of the act(s) or offense(s).

(4) Whether the licensee has complied with any terms of parole, probation,
restitution or any other sanctions lawfully imposed against the licensee.

(5) If applicable, evidence of expungement proceedings pursuant to Section
1203.4 of the Penal Code.

(6) Evidence, if any, of rehabilitation submitted by the licensee.

COST RECOVERY

13. Section 125.3 of the Code provides, in pertinent part, that the Board/Registrar/Director may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(April 28, 2008, Criminal Conviction – Driving With Blood Alcohol Level of 0.08% or More, on February 15, 2008)

14. Respondent is subject to disciplinary action under Code sections 490 and 2761, subdivision (f), in that Respondent was convicted of a crime substantially related to the qualifications, functions and duties of a registered nurse, as follows:

a. On or about April 28, 2008, in the Superior Court of California, County of Sacramento, in *The People of the State of California v. Camille Eileen Depoy*, in Case No. 08T01516, Respondent was convicted, on her plea of no contest, of violating Vehicle Code section 23152(b) (Driving With Blood Alcohol Level of 0.08% Or More), a misdemeanor.

b. The circumstances of the crime are that on or about February 15, 2008, Respondent was involved in a collision while driving her vehicle. When officers from the California Highway Patrol arrived at the accident scene, they determined that Respondent was under the influence of alcohol. Respondent was found to have a blood alcohol of .27/.26. Respondent was arrested and booked in the Sacramento County Jail.

c. As a result of the above conviction, Respondent was placed on three (3) years summary probation, ordered serve 48 hours plus 2 days in the county jail, with two days credit for time served, and to complete a 9-month first offender program, with enrollment by May 27, 2008, and for which Respondent was permitted to enroll in the County of Orange. Respondent was also ordered to pay a \$100 fine.

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